



In the Matter of Memorial Playing Field,  
Steyping, Horsham D

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DECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. VG 65 in the Register of Town or Village Greens maintained by West Sussex County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference claims to ownership of different parts of the land in question ("the Unit land") were made by Steyping Parish Council and by Horsham District Council.

I held a hearing for the purpose of inquiring into the question of the ownership of the Unit land at Chichester on 9 June 1983.

At the hearing Mr S H Blackie, Chairman of the Parish Council, appeared on its behalf, and Mrs Frankland, of the County Council, represented Horsham District Council.

The Parish Council's claim is to the whole of the Unit land except a small rectangular section at its northern point, this section ("the DC section") being at the rear of cottages fronting on to Charlton Street. The area claimed by the Parish Council ("the PC area") was conveyed to the Parish Council by John Goring in 1947, the Conveyance being dated 15 April 1947; and on this evidence I am satisfied that it is the owner of the PC area.

The District Council's claim relates to the DC section. By a Conveyance dated 21 July 1952 there were conveyed to J T Mackley three cottages Nos. 37, 38 and 39 Charlton Street, the premises conveyed including land at the rear, delineated on the plan attached to the Conveyance. After Mr Mackley's death, his personal representatives by a Conveyance dated 5 January 1972 sold and conveyed to Chanctonbury Rural District Council property on Charlton Street, which included the premises acquired by Mr Mackley by the 1952 Conveyance. Horsham District Council is the successor Authority to Chanctonbury RDC, and I am satisfied that it is the owner of those premises. From the plans in the two Conveyances it is reasonably plain that the premises included part at least of the DC section: but comparison of them with the Register map leaves me uncertain whether the District Council's ownership extends to the whole or to part only of the section. I would anticipate that examination of the relevant plans with the Register map, possibly with the help of a larger scale map, by the Surveyor's Department of the County Council, would enable the question to be resolved and my Direction to be in reasonably precise form.

In accordance with my findings, stated above, I shall direct the West Sussex County Council, as registration authority, to register under section 8(2) of the Act of 1965 Steyping Parish Council as owner of the PC area and Horsham District Council as owner of so much of the DC section as is delineated on the plan attached to the Conveyance of 5 January 1972.



As to any part of the DC section not so delineated, I shall direct registration of the Parish Council as owner under section 8(3) of the Act.

I am required by regulation 30(1) of the Commons Commissioners Regulations 1971 to explain that a person aggrieved by this decision as being erroneous in point of law may, within 6 weeks from the date on which notice of the decision is sent to him, require me to state a case for the decision of the High Court.

Dated 28 July 1983

*L. J. Morris Smith*

Commons Commissioner